D. REMARKS

Information Disclosure Statement

The Examiner noted that the information disclosure statement of 26 July 2001 includes references not made publicly available. These references are included in the "cross-reference to related applications" section of the specification, as will be apparent from the above amendment to the specification. Further, the Examiner notes that IBM Docket Number AUS920010397US1 was submitted as a reference, but not listed on the information disclosure statement. Applicants note that IBM Docket Number AUS920010397US1 is also listed as a reference in the "cross-reference to related applications" section of the specification.

Specification

The Examiner objected to the disclosure because the "cross-references to related applications" section was missing application serial numbers. Applicants have amended the specification above to include the application serial numbers of the related cross-references.

35 USC § 102(e)

Claims 1-34 stand rejected under 35 U.S.C. §102(e) as being disclosed by Knight. (US Patent Number 6,515,681B1) "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed Cir. 1987). Furthermore the reference must be an enabling disclosure of each and every element as set forth in the claim. *In re Hoecksma*, 158 USPQ 596, 600 (CCPA 1968); *In re LeGrive*, 133 USPQ 365, 372 (CCPA 1962). Because the Examiner does not show that Knight teaches each an every element of the claims 1-34 or enables each and every element of these claims, these claims are not anticipated, the rejection should be withdrawn, and the claims should be allowed.

Claims 1, 13, and 23

With respect to claim 1, the Examiner cites Knight col. 10, lines 20-21 and col. 11, lines 48-60 as teaching the method of claim 1. Claim 1 currently reads:

> 1.A method for notifying users of subject preferences across a plurality of messaging sessions, said method comprising the steps of:
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> filtering a plurality of current messaging sessions according to subject preferences for a user; and
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> notifying said user of a selection from among said plurality of current messaging sessions correlating to said subject preferences for said user, such that said user is enabled to monitor conversations comprising said subject preferences across said plurality of current messaging sessions.

Applicants respectfully propose that Knight does not anticipate the invention of claim 1 because Knight does not teach expressly or inherently the step of "filtering a plurality of current messaging sessions according to subject preferences for a user" or "notifying said user of a selection from among said plurality of current messaging sessions correlating to said subject preferences for said user, such that said user is enabled to monitor conversations comprising said subject preferences across said plurality of current messaging sessions." Further, Knight does not enable these steps.

In general, Knight teaches "a user interface for interacting with [an] online message board" (Knight, title). More specifically, col. 10, lines 20-21 teaches "customized search robots 232 create logical collections of messages based on individual user filtering criteria." In addition, more specifically, col. 11, lines 48-60 teaches:

> "In any event, at step 304, in response to the user specified search parameters, a request is sent to community search robot 231 (or customized

search robot 232) at server 220, which in turn queries database management routine 240 to retrieve entries meeting the user's search/filter criteria. Because these entries are already indexed according to predefined subject matter area/class/subclass indices 261, a group of the same matching the user's query criteria are easily and rapidly located. These entries are then transmitted to the user's computer system, and presented in abbreviated listing format (i.e., author, data, excerpt from entry, etc.) within a group listing area of the interactive window interface at step 305."

Applicants respectfully propose that Knight merely teaches a method for cataloging messages previously entered on a messaging billboard in a personalized manner. Specifically, Applicants note that while Knight teaches creating logical collections of messages based on individual user filtering criteria, Knight only teaches creating these logical collections of messages only from message entries already posted and catalogued on a one-directional message board. Knight's teaching of message entries posted and catalogued on a one-directional message board is not equivalent to current messaging sessions, where current messaging sessions may include real-time message communications through chat rooms, instant messaging sessions, or conference calling converted from voice to text, for example. In contrast, the specification describes a "messaging session" as including "any combination of voice, graphical, video, and/or text messages, instant and/or delayed, transmitted between multiple users via a network. Messaging sessions may include use of chat rooms, instant messages, e-mail, IRC, conference calling and other network methods of providing a channel for users to communicate within."[1] Inherent in the definition of "messaging sessions" described in the specification is a bi-directional communication, which is distinguishable, and more advanced, than the one-directional communication enabled by posting messages to a message board.

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[1] Applicant may be his or her own lexicographer. *Multiform Desiccants Inc. v. Medzam Ltd.*, 133 F.3d 1473, 1477, 45 USPQ2d 1429, 1432 (Fed. Cir. 1998).

In addition, Applicants respectfully propose that Knight merely teaches transmitting the "entries" to a user's computer system and presenting the entries in groups based on query criteria. These "entries" are indicators of one-directional postings to a message board; Knight does not teach notifying a user about current bi-directional messaging sessions that include textual, verbal, graphical, or video conversations about a particular subject matter of interest to the user. In contrast, the second element of claim 1 teaches notifying the user about a selection of current messaging sessions that correlate to the user's subject preferences, so that the user is enabled to monitor conversations about a particular subject matter across multiple current messaging sessions. Inherent in monitoring "conversations" is monitoring messaging sessions capable of bi-directional communication.

Therefore, because the Examiner does not specifically point out the teaching, either expressly or inherently, in Knight for filtering "current messaging sessions" or notifying a user about a selection of "current messaging sessions" that meet a subject matter requirement, so that the user can effectively monitor the conversations across multiple current messaging sessions and since Knight is in fact void of any teaching of these elements, claim 1 is not anticipated by Knight and should be allowed.

Regarding claims 13 and 23, the Examiner cites Knight col. 19, lines 35-39 and Fig. 4 as teaching "a messaging system communicatively connected to a network, storing the means for filtering a plurality of current messaging sessions, taught as the implementation of the system on a conventional network server associated with an online data service provider." [Office Action, p. 3] Claim 13 currently reads:

> 13.A system for notifying users of subject preferences across a plurality of messaging sessions, said system comprising:
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> a messaging server communicatively connected to a network;
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> said messaging server further comprising:

means for filtering a plurality of current messaging sessions at said messaging server according to subject preferences for a user; and

means for notifying said user from said messaging server of a selection from among said plurality of current messaging sessions correlating to said subject preferences for said user, such that said user is enabled to monitor conversations comprising said subject preferences across said plurality of current messaging sessions.

Col. 19, lines 35-39 reads: "Fig. 4 is a simplified diagram detailing the basic components of a preferred embodiment of a content collection and posting system 400 of the present invention. As noted earlier, this system is implemented on conventional network server associated with an online data service provider."

First, Applicants note that claims 13 and 23 include the elements of claim 1, and thus are not anticipated for the same reasons that claim 1 is not anticipated and should be allowed. Second, Applicants note that Knight teaches a "content collection and posting system 400" that is a one-directional system for collecting and posting message entries. Knight does not teach a messaging system that monitors current bi-directional messaging sessions and notifies the user of those messaging sessions with conversations that are related to a subject matter. In contrast, claims 13 and 23 teach a messaging system that enables and monitors bidirectional current messaging sessions and notifies users of those conversations related to a subject matter. Therefore, because Knight does not teach, expressly or inherently, the messaging system communicatively connected a network, claims 13 and 23 are not anticipated by Knight and should be allowed.

Claims 2-12, 14-22, 24-32

Regarding claims 2-12, 14-22, and 24-32, Applicants respectfully propose that because the Examiner did not establish that Knight anticipates the independent claims 1, 13, and 23, upon which these dependent claims rely, then Knight does not anticipate these dependent claims and the dependent claims should be allowed. Specifically, however, Applicants respectfully propose that even if Knight anticipates Claims 1, 13, or 23, Knight does not anticipate claims 2, 3, 4, 5, 14, 15, 24, and 25.

Claims 2, 3, 12, 13, 22, and 23

With respect to claims 2, 3, 12, 13, 22, and 23, the Examiner cites Knight col. 2, lines 1-5 and col. 12, lines 39-44 as teaching the elements of claims 2, 3, 12, 13, 22, and 23. Claim 13 is referenced above; Claims 2 and 3 currently read:

> 2.The method for notifying users of subject preferences according to claim 1, said method further comprising the step of:
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> filtering said plurality of current messaging sessions and notifying said user from a messaging server communicatively connected to a plurality of client messaging systems, wherein a particular client messaging system from among said plurality of client messaging systems is accessible to said user.
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> 3.The method for notifying users of subject preferences according to claim 1, said method further comprising the step of:
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> filtering said plurality of current messaging sessions and notifying said user from a particular client messaging system communicatively connected to a plurality of client messaging systems.

Applicants respectfully propose that Knight does not anticipate the invention of claims 2, 3, 13, or 23 because Knight does not teach expressly or inherently "a messaging server", or "a client messaging system" Col. 12, lines 39-44 of Knight read: "Finally, when posting replies, the user is given the option of sending the reply only where it can be seen by other authorized members of the community (i.e. subscribers to the online service provider) or to other third party message board systems (i.e. locations from which content is being extracted by extraction robots 230)." Specifically, the Examiner cites col. 12, lines 39-44 of Knight as teaching "a user posting or receiving messages in an online community or other message board systems." [Office Action, p. 3] Further, col. 1, lines 66-67-Col. 2, lines 1-5 of Knight read: "The users (subscribers) of the service provider compose these messages at their local computer systems, and then send (post) the same to a server at the website, where they are screened (usually for improper content), indexed (to identify topic, author, date, etc.) and stored for later retrieval by other users."

In the citations provided by the Examiner, and in the whole of Knight, Applicants respectfully note that Knight merely teaches an online message board provider to which a subscriber can post messages through a one-directional communication. Other users must then access the posted entries from the board. Where the Examiner cites the "online community" of Knight as teaching "the communicative connection of the user to a plurality of client messaging systems"[Office Action, p. 3], the Examiner incorrectly expands a message board system as connecting a user to other messaging systems. In fact, a message board only enables a user to access the message board and does not enable connection to other users of the message board, but merely to those entries posted by other users of the message board. Thus, Applicants respectfully note, as previously described with reference to claims 1, 13, and 23, that Knight does not teach a messaging server that enables bi-directional communication or a client messaging system from which bidirectional communication can be achieved, where a current messaging session is defined as one that enables bi-directional communication between client messaging systems via a messaging server.

Regarding claims 12 and 22, Applicants note that claim 12 teaches the element of "detecting said activity level comprising at least one from among a number of bytes within a

particular time period, a number of message entries within a particular time period, and a time period since a message entry was last entered." The Examiner cites claims 12 and 22 with the rejection of claims 2, 3, 13, and 23, but does not point out how col. 12, lines 39-44 or col. 2, lines 1-5 of Knight teach this element. Applicants note, however, that in a later rejection to claims 12, 22, and 32, the Examiner cites Knight as teaching this element at col. 18, lines 46-51.

Claims4, 5, 14, 15, 24, and 25

With respect to claims 4, 5, 14, 15, 24, and 25, the Examiner cites Knight col. 6, lines 30-35 and col. 11, lines 53-56 as teaching the elements of claims 4, 5, 14, 15, 24, and 25. Claims 4 and 5 currently read:

> 4.The method for notifying users of subject preferences according to claim 1, said step of filtering a plurality of current messaging sessions further comprising the step of:
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> filtering a new channel added as a new messaging session to said plurality of current messaging sessions according to subject preferences for a user.
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> 5.The method for notifying users of subject preferences according to claim 1, said step of filtering a plurality of current messaging sessions further comprising the step of:
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> filtering a new topic added to a channel from among said plurality of current messaging sessions according to subject preferences for a user.

Applicants respectfully propose that Knight does not anticipate the invention of claims 4, 5, 14, 15, 24 or 25 because Knight does not teach expressly or inherently "a channel", or "a new topic added to a channel". Col. 6, lines 30-35 teach: "This information can also be used for

automatically modifying the user interface on a periodic basis (to reflect common usage patterns) to improve the look and feel of the same, for determining new potential subject areas for content extraction, for adding/modifying new groups and/or classes for subscriber message data items, etc." The Examiner equates this section of Knight of "adding or modifying new groups or classes for subscriber message data items" as teaching "filtering a new channel, and a new topic added to a channel, both added to a plurality of current messaging systems." [Office Action, p. 3] Applicants respectfully note, however, that Knight's new group or class does not teach a new channel or a new topic added to a channel. In particular, the new groups or classes taught by Knight are new groups or classes of entries related by subject matter, where the entries have been posted to a message board. (Knight, col. 5, lines 13-20, col. 10, lines 13-25) In contrast, a channel is well known in the art as a bi-directional medium for transferring information. Claims 4, 5, 14, 15, 24, and 25 include the element of a "channel" that is a bi-directional medium for transferring information, not a new grouping of already posted entries to a message board. Therefore, because Knight does not teach, expressly or inherently, filtering a channel or a new topic added to a channel, claims 4, 5, 14, 15, 24, and 25 are not anticipated by Knight and should be allowed.

Claims 33 and 34

With respect to claims 33 and 34, the Examiner cites Knight Figs. 3B-3C and col. 19, lines 6-10 as teaching the first element of claims 33 and 34 and col. 17, lines 48-54 as teaching the second element of claims 33 and 34. Claim 34 is a system claim correlating to method claim 33. Claim 33 currently reads:

> 33. (Original) A user interface method for specifying messaging session subject preferences, said method comprising:
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> graphically displaying a plurality of selectable items representing a plurality of current messaging sessions matching messaging session preferences for a user within a display area; and